HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.23595 OF 2006

Between:

D.Shivaram Prasad and others
. . .Petitioners

AND

Municipal Corporation of Hyderabad and others
. . .Respondents

Counsel for the Petitioners : Shri K.R.Prabhakar

Dated: 15th November, 2006

: ORDER :

PER G.S.SINGHVI, CJ

In this petition, the petitioners have prayed as under:

> " It is therefore necessary in the interests of justice that this Hon'ble Court may be pleased to issue an appropriate writ, order or direction, more particularly, one in the nature of writ of mandamus, declaring the actions of the Respondents in throwing out myself and the other petitioners, who are eking out the livelihood with the day to day petty business activities and by restraining us from carrying our respective businesses peacefully as arbitrary, illegal, unjust, capricious, mala fide, apart from being in violation of fundamental rights guaranteed under Art. 14 and 19 (1)(g) and 21 and the Constitutional Right guaranteed under Art.300-A of the Constitution of India, r/w. Art.38 of the Constitution of India and principles of natural justice and issue a consequential direction to the Respondent to allot alternative site to the Petitioners to run their petty businesses."

After arguing the case for some time, Shri K.R.Prabhakar made a request that his clients may be permitted to withdraw the writ petition with liberty to intervene in the proceedings of Writ Petition No.20228 of 2005.

The request of the learned counsel is accepted and the writ petition is dismissed as withdrawn with liberty in terms of the prayer made.

As a sequel to dismissal of the main petition, W.P.M.P.No.30083 of 2006 filed by the petitioners for interim relief is also dismissed.

G.S.SINGHVI, CJ

C.V.NAGARJUNA REDDY, J

Date: 15.11.2006

kvni